



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,848	01/02/2001	Jeong-hoon Park	Q62028	9288
7590 05/21/2009 SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, N.W. Washington, DC 20037-3202				
EXAMINER				
LEE, ANDREW CHUNG CHEUNG				
ART UNIT		PAPER NUMBER		
2419				
MAIL DATE		DELIVERY MODE		
05/21/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Regarding claim 1, Applicant argues combining the teachings of Ludwig and Tomlins results in a system in which a payload and a header may be separately transmitted, but both are transmitted in the same mode. Thus, Ludwig and Tomlins, taken individually or in combination, fail to teach or suggest "a bit stream, to which header information has been added by undergoing each communication protocol layer, is transmitted in an unacknowledged mode protocol, and only the header information in the bit stream is separately transmitted in an acknowledged mode protocol." Since Zhu fails to cure the deficient teachings of Ludwig and Tomlins in this regard, Applicant submits that claim 1 is patentable over the combination of Ludwig, Tomlins, and Zhu because the cited references fail to teach or suggest all of the features of claim 1.

Examiner respectfully disagrees.

Examiner contends the combined system of references Ludwig and Tomlins and Zhu teaches all the limitations as disclosed in claim 1.

The combined system of references Ludwig and Tomlins, teaches "a bit stream, to which header information has been added by undergoing each communication protocol layer, is transmitted in an unacknowledged mode protocol, and only the header information in the bit stream is separately transmitted in an acknowledged mode protocol."

Examiner interpreted a bit stream, to which header information has been added by undergoing each communication protocol layer as "passing data through the layers" , see Ludwig, Fig 5, col. 2, lines 10 – 33, col. 17, lines 4 – 15 is transmitted in an unacknowledged mode protocol in interpreted as "no unacknowledged numbered mode packets is allowed to be outstanding", see Ludwig col. 15, lines 50 – 56, and only the header information in the bit stream is transmitted in an acknowledged mode protocol is interpreted as "by means of acknowledgement messages", see Ludwig, col. 4, lines 13 – 22, Fig. 5, col. 14, lines 66 – 67.

Reference Tomlins remedy the deficiencies by disclosing transmitting, from the first terminal to the second terminal, the header separately from the bit stream and only the header information in the bit stream is separately transmitted.

Examiner interpreted transmitting, from the first terminal to the second terminal, the header separately from the bit stream and only the header information in the bit stream is separately transmitted as "transmitting said payload and control information in parallel over separate serial lines" interpreted as transmitting, from the first terminal to the second terminal, the header separately from the bit stream and only the header information in the bit stream is separately transmitted; see Tomlins, col. 2, lines 51 – 62, Fig. 2, Fig. 7.

While reference Zhu remedies the deficiencies of the combined system of Ludwig and Tomlins by disclosing coding source data into the bit stream using a predetermined type of coding. Examiner interpreted coding source data into the bit stream using a predetermined type of coding as using H.263 representing a picture in an encoded video bitstream, see Zhu col. 1, lines 33 – 34.

Art Unit: 2419

Hence, the combined system of references Ludwig and Tomlins and Zhu teaches all the limitations as disclosed in claim 1.

/Andrew C Lee/
Examiner, Art Unit 2419